IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.211 OF 2005

IN

SUIT NO.992 OF 1998

Shekhar Agarwal ...Plaintiff

Versus

Suresh Chandra Agarwal & Ors. ...Defendants

And

Sunia Avdhesh Mandelia & Ors. ...Respondents

.....

Mr.Sanjay Udeshi for Plaintiff.

Mr.M.Shukla i/b Desai & Diwanji for Respondents.

.....

CORAM: A.M.KHANWILKAR, J.

JUNE 7, 2005.

P.C.

1. Heard Counsel for the parties. Perused the affidavit in support of the Chamber Summons.

2. This Application is resisted by the Respondents on the argument that delay is not

properly explained. However, in my opinion, in the interest of justice, delay of about 357 days deserves to be condoned.

3. Accordingly, Chamber Summons made absolute in terms of prayer clauses (a) and (b), on condition that the Plaintiff shall pay cost quantified at Rs.750/- (Rupees Seven Hundred Fifty) to the High Court Legal Services Committee on or before 13th June 2005. Amendment be carried out on or before 13th June 2005.

A.M.KHANWILKAR, J.